

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND
Civil Division

WENDYANN O'BRIEN-LEWIS

15250 Siesta Key Way, Apt. 369
Rockville, Maryland 20850

Plaintiff

Case Number: _____

v.

CHALLENGER TRANSPORTATION, INC.
8210 Beechcraft Avenue
Gaithersburg, Maryland 20879

Serve: Richard S. Stern
932 Hungerford Drive, Suite 37A
Rockville, Maryland 20850

and

MARIA HERNANDEZ
10175 Ridgeline Drive
Montgomery Village, Maryland 20886

Defendants

COMPLAINT

Plaintiff, Wendyann O'Brien-Lewis, by and through undersigned counsel, hereby files suit against Defendants, Challenger Transportation, Inc. and Maria Hernandez, and as grounds therefor alleges as follows:

Parties

1. Plaintiff, Wendyann O'Brien-Lewis, is an adult resident of Montgomery County, Maryland, residing at the above-referenced address.
2. Defendant, Challenger Transportation, Inc. ("Defendant Challenger Transportation"), is a Maryland Corporation that regularly conducts business in the State

of Maryland.

3. Defendant, Maria Hernandez ("Defendant Hernandez") is an adult resident of Montgomery County, Maryland, residing at the above-captioned address.

Factual Background

4. On or about January 9, 2020, Plaintiff was a passenger on a MetroAccess Bus, which was traveling on I-270 in Rockville (Montgomery County), Maryland.

5. At the same time and place, Defendant Hernandez was also operating a motor vehicle.

6. A collision occurred between Defendant Hernandez's vehicle and the MetroAccess Bus, causing Plaintiff to suffer personal injuries.

Count I – Negligence
(Plaintiff v. Defendant Hernandez)

7. Plaintiff incorporates by reference the preceding paragraphs, in the same force and effect as if fully realleged herein, and further alleges as follows:

8. At all times relevant hereto, Defendant Hernandez was duty bound to operate said vehicle with reasonable care and prudence.

9. Notwithstanding this duty, and in breach thereof, Defendant Hernandez operated said vehicle in a negligent manner by striking the driver's side of the MetroAccess Bus, in which Plaintiff was riding as a passenger, when she attempted to change lanes. Defendant Hernandez's negligence consisted of, among other things, failing to pay full time and attention, failing to keep a proper lookout, failing to operate said vehicle within the bounds of a single lane, attempting to change lanes when it was unsafe to do so, failing to maintain a proper distance, and/or otherwise failing to operate said vehicle in a safe and reasonable manner.

10. As a direct and proximate result of Defendant Hernandez's negligence, Plaintiff sustained bodily injuries; has incurred and may continue to incur medical and other expenses; has experienced and may continue to experience pain and suffering; has been and may continue to be prevented from engaging in normal social and recreational activities; and has suffered and may continue to suffer other damages.

Prayer for Relief

WHEREFORE, Plaintiff, Wendyann O'Brien-Lewis, hereby demands judgment against Defendant, Maria Hernandez, in an amount IN EXCESS OF SEVENTY-FIVE THOUSAND & 00/100 U.S. DOLLARS (\$75,000.00), plus costs, and such further relief as this Court deems necessary and appropriate.

Count I – Vicarious Liability (*Respondeat Superior*)
(Plaintiff v. Defendant Challenger Transportation)

11. Plaintiff incorporates by reference the preceding paragraphs, in the same force and effect as if fully realleged herein, and further alleges as follows:

12. At all times relevant hereto the MetroAccess Bus was owned and/or operated by Defendant Challenger Transportation.

13. At all times relevant hereto, an unknown employee of Defendant Challenger Transportation ("Employee X") was driving the MetroAccess Bus.

14. At all times relevant hereto, Employee X was acting within the course and scope of his/her employment with Defendant Challenger Transportation.

15. At all times relevant hereto, Employee X was duty bound to operate the MetroAccess Bus with reasonable care and prudence.

16. Notwithstanding this duty, and in breach thereof, Employee X operated the MetroAccess Bus in a negligent manner by striking the driver's side of Defendant

Hernandez's vehicle as he/she attempted to change lanes. Employee X's negligence consisted of, among other things, failing to pay full time and attention, failing to keep a proper lookout, failing to operate said vehicle within the bounds of a single lane, attempting to change lanes when it was unsafe to do so, failing to maintain a proper distance, and/or otherwise failing to operate said vehicle in a safe and reasonable manner.

17. As a direct and proximate result of Employee X's negligence, Plaintiff sustained bodily injuries; has incurred and may continue to incur medical and other expenses; has experienced and may continue to experience pain and suffering; has been and may continue to be prevented from engaging in normal social and recreational activities; and has suffered and may continue to suffer other damages.

18. As Employee X was acting at all times as an agent, servant, and/or employee of Defendant Challenger Transportation, Defendant Challenger Transportation is vicariously liable for Employee X's negligence, and Plaintiff's resulting injuries and damages.

Prayer for Relief

WHEREFORE, Plaintiff, Wendyann O'Brien-Lewis, hereby demands judgment against Defendant, Challenger Transportation, Inc., in an amount IN EXCESS OF SEVENTY-FIVE THOUSAND & 00/100 U.S. DOLLARS (\$75,000.00), plus costs, and such further relief as this Court deems necessary and appropriate.

Respectfully submitted,

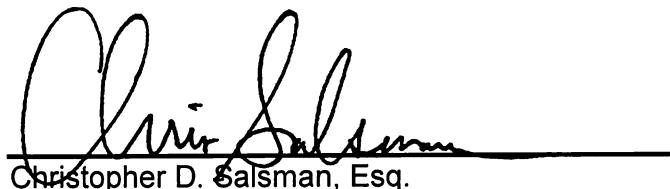
GREENBERG & BEDERMAN, LLC



Christopher D. Salsman (CPF # 1512160234)
1111 Bonifant Street
Silver Spring, Maryland 20910
Tel: (240) 704-8900 / Fax: (240) 704-8901
CSalsman@GBLawyers.com
Attorney for Plaintiff

JURY PRAYER

Plaintiff prays a jury as to all claims alleged herein.



Christopher D. Salsman, Esq.